

(1) The following are considered special statements and claims:

(i) Those not defined in the Federal meat and poultry products inspection regulations or the Food Standards and Labeling Policy Book;

(ii) “Natural” claims, regardless of whether they are defined in the Food Standards and Labeling Policy Book; and

(iii) Health claims (including graphic representations of hearts), ingredient and processing method claims (e.g., high-pressure processing), structure-function claims, claims regarding the raising of animals (e.g., “no antibiotics administered”), products labeled as organic (except for those where only individual ingredients are labeled as organic), and instructional or disclaimer statements concerning pathogens (e.g., “for cooking only” or “not tested for *E. coli* O157:H7”).

(2) The following are not considered special statements and claims:

(i) Allergen statements (e.g., “contains soy”) applied in accordance with the Food Allergen Labeling and Consumer Protection Act;

(ii) Negative claims regarding ingredients not listed in the ingredients statement (e.g., “No MSG Added,” “Preservative Free,” “No Milk,” “No Pork,” or “Made Without Soy”);

(iii) Statements that characterize a product’s nutrient content in compliance with Title 9 of the CFR, such as “low fat”; and

(iv) Claims related to geographical significance, such as “German Brand Made in the US,” or those that make a country of origin statement on the label of any meat or poultry product “covered commodity,”<sup>1</sup> or displays of geographic landmarks, such as a foreign country’s flag, monument, or map.

\* \* \* \* \*

■ 9. In § 412.2, revise paragraph (b) to read as follows:

**§ 412.2 Approval of generic labels.**

\* \* \* \* \*

(b) Generically approved labels are labels that bear all applicable mandatory labeling features (i.e., product name, handling statement, ingredients statement, the name and place of

business of the manufacturer, packer or distributor, net weight, legend, safe handling instructions, and nutrition labeling) in accordance with Federal regulations and do not bear special statements and claims as defined in § 412.1(e).

<sup>1</sup> See 9 CFR 317.8(b)(40) and 381.129(f).

Done at Washington, DC.

**Paul Kiecker**

*Administrator.*

[FR Doc. 2023–00693 Filed 1–17–23; 8:45 am]

**BILLING CODE 3410–DM–P**

## **FARM CREDIT SYSTEM INSURANCE CORPORATION**

### **12 CFR Part 1411**

**RIN 3055–AA19**

### **Rules of Practice and Procedure; Adjusting Civil Money Penalties for Inflation**

**AGENCY:** Farm Credit System Insurance Corporation.

**ACTION:** Final rule.

**SUMMARY:** This rule implements inflation adjustments to civil money penalties (CMPs) that the Farm Credit System Insurance Corporation (FCSIC) may impose under the Farm Credit Act of 1971, as amended. These adjustments are required by 2015 amendments to the Federal Civil Penalties Inflation Adjustment Act of 1990.

**DATES:**

*Effective date:* This regulation is effective on January 18, 2023.

*Applicability date:* The adjusted amounts of civil money penalties in this rule are applicable to penalties assessed on or after January 15, 2023, for conduct occurring on or after November 2, 2015.

**FOR FURTHER INFORMATION CONTACT:**

Lynn M. Powalski, General Counsel, Farm Credit System Insurance Corporation, 1501 Farm Credit Drive, McLean, Virginia 22102, (703) 883–4380, TTY (703) 883–4390.

**SUPPLEMENTARY INFORMATION:**

#### **I. Background**

The Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015 (the 2015 Act) amended the Federal Civil Penalties Inflation Adjustment Act of 1990 (the Inflation Adjustment Act)<sup>1</sup> to improve the effectiveness of civil monetary penalties and to maintain their deterrent effect. The Inflation Adjustment Act provides for the regular evaluation of CMPs and requires FCSIC, and every other Federal agency with authority to impose CMPs,

<sup>1</sup> Public Law 101–410, 104 Stat. 890 (Oct. 5, 1990), as amended by Public Law 104–134, title III, § 31001(s)(1), 110 Stat. 1321–373 (Apr. 26, 1996); Public Law 105–362, title XIII, § 1301(a), 112 Stat. 3293 (Nov. 10, 1998); Public Law 114–74, title VII, § 701(b), 129 Stat. 599 (Nov. 2, 2015), codified at 28 U.S.C. 2461 note.

to ensure that CMPs continue to maintain their deterrent values.<sup>2</sup>

FCSIC must enact regulations that annually adjust its CMPs pursuant to the inflation adjustment formula of the amended Inflation Adjustment Act and rounded using a method prescribed by the Inflation Adjustment Act. The new amounts are applicable to penalties assessed on or after January 15, 2023, for conduct occurring on or after November 2, 2015. Agencies do not have discretion in choosing whether to adjust a CMP, by how much to adjust a CMP, or the methods used to determine the adjustment.

#### **II. CMPs Imposed Pursuant to Section 5.65 of the Farm Credit Act**

First, section 5.65(c) of the Farm Credit Act, as amended (Act), provides that any insured Farm Credit System bank that willfully fails or refuses to file any certified statement or pay any required premium shall be subject to a penalty of not more than \$100 for each day that such violations continue, which penalty FCSIC may recover for its use.<sup>3</sup> Second, section 5.65(d) of the Act provides that, except with the prior written consent of the Farm Credit Administration, it shall be unlawful for any person convicted of any criminal offense involving dishonesty or a breach of trust to serve as a director, officer, or employee of any System institution.<sup>4</sup> For each willful violation of section 5.65(d), the institution involved shall be subject to a penalty of not more than \$100 for each day during which the violation continues, which FCSIC may recover for its use.

FCSIC’s current § 1411.1 provides that FCSIC can impose a maximum penalty of \$231 per day for a violation under section 5.65(c) and (d) of the Act.

#### **III. Required Adjustments**

The 2015 Act requires agencies to make annual adjustments for inflation. Annual inflation adjustments are based on the percent change between the October Consumer Price Index for all Urban Consumers (CPI–U) preceding the date of the adjustment, and the prior year’s October CPI–U. Based on the CPI–U for October 2022, not seasonally adjusted, the cost-of-living adjustment

<sup>2</sup> Under the amended Inflation Adjustment Act, a CMP is defined as any penalty, fine, or other sanction that: (1) Either is for a specific monetary amount as provided by Federal law or has a maximum amount provided for by Federal law; (2) is assessed or enforced by an agency pursuant to Federal law; and (3) is assessed or enforced pursuant to an administrative proceeding or a civil action in the Federal courts. All three requirements must be met for a fine to be considered a CMP.

<sup>3</sup> 12 U.S.C. 2277a–14(c).

<sup>4</sup> 12 U.S.C. 2277a–14(d).

multiplier for 2023 is 1.07745.<sup>5</sup> Multiplying 1.07745 times the current penalty amount of \$231, after rounding to the nearest dollar as required by the 2015 Act, results in a new penalty amount of \$249.

#### IV. Notice and Comment Not Required by Administrative Procedure Act

In accordance with the 2015 Act, Federal agencies shall adjust civil monetary penalties “notwithstanding” Section 553 of the Administrative Procedures Act. This means that public procedure generally required for agency rulemaking—notice, an opportunity for comment, and a delay in effective date—is not required for agencies to issue regulations implementing the annual adjustment.

#### List of Subjects in 12 CFR Part 1411

Banks, Banking, Civil money penalties, Penalties.

For the reasons stated in the preamble, part 1411 of chapter XIV, title 12 of the Code of Federal Regulations is amended as follows:

#### PART 1411—RULES OF PRACTICE AND PROCEDURE

- 1. The authority citation for part 1411 continues to read as follows:

**Authority:** Secs. 5.58(10), 5.65(c) and (d) of the Farm Credit Act (12 U.S.C. 2277a–7(10), 2277a–14(c) and (d)); 28 U.S.C. 2461 note.

- 2. Revise § 1411.1 to read as follows:

**§ 1411.1 Inflation adjustment of civil money penalties for failure to file a certified statement, pay any premium required or obtain approval before employment of persons convicted of criminal offenses.**

In accordance with the Federal Civil Penalties Inflation Adjustment Act of 1990, as amended, a civil money penalty imposed pursuant to section 5.65(c) or (d) of the Farm Credit Act of 1971, as amended, shall not exceed \$249 per day for each day the violation continues.

Dated: January 11, 2023.

**Ashley Waldron,**

*Secretary, Farm Credit System Insurance Corporation.*

[FR Doc. 2023–00790 Filed 1–17–23; 8:45 am]

**BILLING CODE 6710–01–P**

<sup>5</sup> See Office of Mgmt. & Budget, Exec. Office of the President, OMB Memorandum No. M–23–05, *Implementation of Penalty Inflation Adjustments for 2023, Pursuant to the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015* (December 15, 2022).

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

**14 CFR Parts 21, 23, 25, 29, 33, 36, 47, 49, 60, 61, 67, 73, 91, 97, 101, 107, 121, 125, 129, 135, 141, 183, and 440**

[Docket No. FAA–2022–1355; Amdt. Nos. 25–148, 33–35, 47–34, 73–9, 101–11]

**RIN 2120–AL53**

#### Miscellaneous Amendments; Correction

**AGENCY:** Federal Aviation Administration (FAA), U.S. Department of Transportation (DOT).

**ACTION:** Final rule; correction.

**SUMMARY:** On December 9, 2022, the FAA published a final rule titled “Miscellaneous Amendments”. That document made technical amendments to various parts of the FAA’s regulations, and inadvertently identified the Amendment Nos. for certain parts of the CFR as 25–146, 33–1, 47–32, 73–1, and 101–9. The correct Amendment Nos. are 25–148, 33–35, 47–34, 73–9, and 101–11. This document makes those corrections.

**DATES:** Effective January 18, 2023.

**FOR FURTHER INFORMATION CONTACT:** Jesse Holston, Office of Rulemaking, ARM–200, Federal Aviation Administration, 800 Independence Ave. SW, Washington, DC 20591; telephone (202) 267–0810; email [jesse.c.holston@faa.gov](mailto:jesse.c.holston@faa.gov).

#### SUPPLEMENTARY INFORMATION:

##### Electronic Access and Filing

A copy of the Miscellaneous Amendments final rule may be viewed online at <https://www.regulations.gov> using the docket number listed above. A copy of this correction will be placed in the same docket. Electronic retrieval help and guidelines are available on the website. It is available 24 hours each day, 365 days each year. An electronic copy of this document may also be downloaded from the Office of the Federal Register’s website at <https://www.federalregister.gov> and the Government Publishing Office’s website at <https://www.govinfo.gov>. A copy may also be found at the FAA’s Regulations and Policies website at [https://www.faa.gov/regulations\\_policies](https://www.faa.gov/regulations_policies).

Copies may also be obtained by sending a request to the Federal Aviation Administration, Office of Rulemaking, ARM–1, 800 Independence Avenue SW, Washington, DC 20591, or by calling (202) 267–9677. Commenters must identify the docket or notice number of this rulemaking.

All documents the FAA considered in developing this correction, including economic analyses and technical reports, may be accessed in the electronic docket for this rulemaking.

#### Background

On December 9, 2022, the Miscellaneous Amendments final rule (RIN 2120–AL53) published in the **Federal Register** at 87 FR 75704. After publication, the FAA discovered that it inadvertently identified the Amendment Nos. for parts 25, 33, 47, 73, and 101 as 25–146, 33–1, 47–32, 73–1, and 101–9. The correct Amendment Nos. are 25–148, 33–35, 47–34, 73–9, and 101–11. This document makes those corrections.

#### Correction

In FR Doc. 2022–23327, beginning on page 75704, in the **Federal Register** of December 9, 2022, make the following correction in the header of the document. On page 75704, in the first column, in the header of the document, the listing of docket number and amendment nos. is corrected to read as follows:

[Docket No. FAA–2022–1355; Amdt. Nos. 21–106, 23–65, 25–148, 29–58, 33–35, 36–32, 47–34, 49–11, 60–7, 61–151, 67–22, 73–9, 91–366, 97–1339, 101–11, 107–10, 121–387, 125–72, 129–54, 135–143, 141–24, 183–18, 440–6]

Issued under authority provided by 49 U.S.C. 106(f), 44701(a), and 44703 in Washington, DC, on 3 January, 2023.

**Brandon Roberts,**

*Executive Director, Office of Rulemaking.*

[FR Doc. 2023–00139 Filed 1–17–23; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

**14 CFR Part 47**

[Docket No. FAA–2022–1514; Amdt. No. 47–33A]

**RIN 2120–AL45**

#### Increase the Duration of Aircraft Registration; Confirmation of Effective Date and Correction

**AGENCY:** Federal Aviation Administration (FAA), U.S. Department of Transportation (DOT).

**ACTION:** Direct final rule; confirmation of effective date and correction.

**SUMMARY:** This action confirms the January 23, 2023, effective date of the *Increase the Duration of Aircraft Registration* direct final rule published on November 22, 2022, and responds to